



Attorney/Docket No. PC1005.00/31132.195
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Greg Marik, et al.

Appl. No.: 10/806,961

Filed: March 23, 2004

For: Constrained Artificial Spinal Disc

§
§ Confirmation No.: 2351
§
§ Group Art Unit: 3738
§
§ Examiner: unknown
§
§

FOURTH INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in date order and are not in any order based on their pertinence.

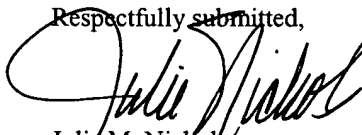
Pursuant to the amendment to 37 CFR 1.98 (a)(2)(i), as stated in an OG Notice dated October 12, 2004, copies of the U.S. patent documents listed on the enclosed modified Form PTO-1449 are not attached.

The undersigned first became aware of the cited patents by their inclusion in the International Search Reports issued by the ISA/EP on July 25, 2005 for International application No. PCT/US2005/009755 and on July 26, 2005 for International application No. PCT/US2005/009777, the PCT counterparts of the present application. A copy of the search reports are enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,


Julie M. Nickols
Registration No. 50,826

Date: 8/24/05
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8640
Facsimile: 214-200-0853

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8-25-05.

Gayle CONNER
Printed Name

Gayle Conner
Signature

In place of PTO Form 1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE Form		Complete if Known	
AUG 29 2005 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/806,961
		Filing Date	March 23, 2004
		Applicant(s)	Greg Marik, et al.
		Art Unit	3738
		Examiner Name	unknown
SHEET	1	OF	1
		Attorney Docket Number	PC1005.00/31132.195

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	5,899,941	05/04/1999	Nishijima, et al.
	A2	US 2004/002761	01/01/2004	Rogers et al.

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	A3	EP 0 560 141	09/15/1993	Waldemar Link GmbH & Co.	
	A4	FR 2 730 159	08/09/1996	Teule Jean Germain	
	A5	WO 00/23015	04/27/2000	SDGI Holdings, Inc.	
	A6	WO 02/089701	11/14/2002	LDR Medical	

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
	A7	European Patent Office, International Searching Authority, "PCT Notification of Transmittal of The International Search Report and The Written Opinion of the International Searching Authority, or the Declaration," International Application No. PCT/US2005/009755, July 25, 2005, 15 pages.
	A8	European Patent Office, International Searching Authority, "PCT Notification of Transmittal of The International Search Report and The Written Opinion of the International Searching Authority, or the Declaration," International Application No. PCT/US2005/009777, July 26, 2005, 19 pages.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.